



County of Los Angeles CHIEF EXECUTIVE OFFICE

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Chief Executive Officer

March 24, 2014

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From: William T Fujioka
Chief Executive Officer

SACRAMENTO UPDATE

Executive Summary

This memorandum contains a report on the following:

- **Pursuit of County Position on Legislation to Support SB 1014 (Jackson).**
This measure would, among other provisions, enact the Home-Generated Pharmaceutical Waste Collection and Disposal Act to provide for the collection and disposal of home-generated pharmaceutical waste. Therefore, unless otherwise directed by the Board, consistent with existing policy to support legislation that places greater emphasis on producer/manufacturer responsibility for the environmental impact of their products and the waste that is produced, and shifts end-of-life management and financial responsibilities from local governments to producers, in order to reduce public costs and encourage improvements in product design that promote environmental sustainability, **the Sacramento advocates will support SB 1014.**

Pursuit of County Position on Legislation

SB 1014 (Jackson), which as introduced on February 13, 2014, would enact the Home-Generated Pharmaceutical Waste Collection and Disposal Act (Act). SB 1014 would require a producer of certain pharmaceuticals to submit a product stewardship plan for the disposal of home-generated pharmaceutical waste to the California Department of

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Resources Recycling and Recovery (DRRR) by July 1, 2015. This bill would define "home-generated pharmaceutical drug waste" as a prescription or over-the-counter (OTC) human or veterinary drug that is a waste and is derived from a household, including, but not limited to, a multi-family residence or household.

Under SB 1014, the product stewardship plan (Plan) must contain certain elements with regard to the collection and disposal of home-generated pharmaceutical waste which would conveniently and adequately serve the residents of the State. Upon submission of the Plan, a pharmaceutical producer will be required to pay a fee, set by the DRRR. The DRRR will deposit the fees into the Home-Generated Pharmaceutical Waste Program Account, which this bill would create in the Integrated Waste Management Fund. These fees, upon appropriation, would be used to enforce the program. Once the Plan is approved, an entity operating a Plan would be required to take certain actions with regard to the disposal of home-generated pharmaceutical waste and to promote product stewardship programs to consumers, pharmacists, retailers of covered pharmaceuticals, and health care practitioners as to the proper and safe method to dispose of home-generated pharmaceutical waste.

SB 1014 would require a product stewardship plan to include, among other provisions, a description of how collection sites for home-generated pharmaceutical waste may be placed at appropriate retail stores, including pharmacies, and authorize pharmacies to accept the return of these products from a consumer. Development of these plans is intended to help ensure that vulnerable populations are better protected from the risk of unnecessary poisoning due to the improper and/or careless disposal of drugs and illegal resale of drugs, and that the State's drinking water sources are less contaminated by the presence of unwanted and/or expired drugs.

The Department of Public Health (DPH) indicates that there were 8,265 drug-related deaths between 2000 and 2009, and that approximately 61 percent of those deaths involved a commonly abused prescription/over-the-counter drug. DPH further indicates that in 2009 there were 3,048 hospitalizations and 5,382 emergency department visits for prescription/OTC drug overdose among County residents. According to DPH, SB 1014 would create a vehicle to safely dispose of pharmaceuticals based on a producer responsibility model that addresses the public health problems of stockpiling unwanted/expired drugs in the home. DPH notes that these medications can become a prime source for drug abusers. In addition, the disposal of these unwanted/expired drugs down the drain threatens water quality and the public's health and safety.

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The Department of Public Works (DPW) indicates that SB 1014 is expected to significantly reduce costs currently borne by the County by establishing a producer-funded collection and disposal system which might eventually eliminate the need for the County to provide a separate collection program for pharmaceutical waste. DPW further indicates that SB 1014, if enacted, would protect the public's health and safety by reducing the amount of pharmaceutical waste that reaches landfills.

The Sheriff's Department indicates that prescription drug abuse and hospitalizations for overdoses have skyrocketed in recent years and that the lack of a consistent or convenient disposal option for unwanted pharmaceuticals continues to be a source that fuels the prescription drug abuse epidemic.

This office, the Department of Public Health, the Department of Public Works, and the Sheriff's Department support SB 1014. Therefore, unless otherwise directed by the Board, consistent with existing policy to support legislation that places greater emphasis on producer/manufacturer responsibility for the environmental impact of their products and the waste that is produced, and shifts end-of-life management and financial responsibilities from local governments to producers, in order to reduce public costs and encourage improvements in product design that promote environmental sustainability, **the Sacramento advocates will support SB 1014.**

SB 1014 is co-sponsored by: Alameda County; City and County of San Francisco; California Alliance of Retired Americans; California Product Stewardship Council; and Clean Water Action. SB 1014 is supported, among others, by: Butte County Public Health Department; California State Association of Counties; Cities of Chula Vista, Livermore, Sacramento, and Torrance; County of Santa Clara; Los Angeles County Sheriff's Department; Marin County Board of Supervisors; and the Napa County Board of Supervisors. There is no registered opposition to the bill at this time.

SB 1014 is similar in nature to **County-supported SB 727 of 2013** which failed to move out of the Senate by January 31, 2014, which was the deadline for bills to move out of the house of origin, pursuant to Joint Rule 56.

SB 1014 is scheduled for hearing in the Senate Environmental Quality Committee on March 26, 2014.

We will continue to keep you advised.

WTF:RA
MR:VE:RM:ma

c: All Department Heads
Legislative Strategist